

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JANE FELIX and B.N. COONE,

Plaintiffs,

vs.

Case Number: 1:12-cv-00125-JAP-RHS

THE CITY OF BLOOMFIELD, NEW
MEXICO, a Municipal Corporation,

Defendant.

JUDGMENT FOR ATTORNEYS' FEES AND COSTS

On November 29, 2017, the parties filed a JOINT MOTION TO ENTER JUDGMENT FOR ATTORNEYS' FEES AND COSTS [Doc. 158]. The Court finds that the parties' motion is well taken and should be granted because Plaintiffs are the prevailing parties in this litigation and are entitled to their reasonable attorneys' fees and costs. Plaintiffs prevailed on their claim that the City violated the Establishment Clause of the First Amendment and secured the relief that they requested in the form of an order that the City remove the Ten Commandments monument from the City Hall lawn.

The Court further finds that counsel for the parties have engaged in extended good-faith and arm's length negotiations to resolve the issue of the amount of attorneys' fees and costs to which Plaintiffs are entitled and the parties have reached an agreement with regard to attorneys' fees and costs that the Court concludes is fair, just, and reasonable.

IT IS THEREFORE ORDERED that Plaintiffs recover from Defendant reasonable attorneys' fees and litigation costs as follows:

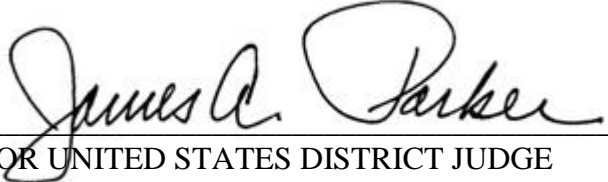
1. The total amount of attorneys' fees and litigation costs, inclusive of applicable New Mexico gross receipts tax, is \$700,000.00.

2. Defendant will have thirty-six (36) months, commencing July 1, 2018 and ending June 30, 2021 (“the Payment Period”), in which to pay the \$700,000.00 in full.

3. If the \$700,000.00 is paid in full on or before June 30, 2021, the City will not be required to pay any interest.

4. If the \$700,000.00 is not paid in full on or before June 30, 2021 , the City must pay interest at the rate of 8.75% on the amount remaining unpaid as of June 30, 2021 calculated from December 5, 2017 to the date of payment.

IT IS FURTHER ORDERED that this Court will retain jurisdiction as to satisfaction, enforcement or interpretation of this JUDGMENT FOR ATTORNEYS’ FEES AND COSTS.



SENIOR UNITED STATES DISTRICT JUDGE

APPROVED:

RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.

By /s/ Andrew G. Schultz.
Andrew G. Schultz

ACLU OF NEW MEXICO FOUNDATION

By /s/ Maria Martinez Sanchez.
Maria Martinez Sanchez

For Plaintiffs Jane Felix and B.N. Coone

ALLIANCE DEFENDING FREEDOM

By Electronically Approved November 29, 2017
Jonathan A. Scruggs

T. RYAN LANE, P.C.

By Electronically Approved November 29, 2017
T. Ryan Lane

For Defendant City of Bloomfield